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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/948,756	10/10/97	ELLIS	UV-38

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LM51/1220

EXAMINER
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COULTER, K

ART UNIT	PAPER NUMBER
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2758

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DATE MAILED: 12/20/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/948,756

Applicant(s)

Ellis et al.

Examiner

Kenneth Coulter

Group Art Unit

2758



☒ Responsive to communication(s) filed on 10/7/99 (Amendment A; paper #10)

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-47 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☒ Claim(s) 29, 30, 45, and 46 is/are allowed.

☒ Claim(s) 1-28, 31-44, and 47 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2758

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 - 28, 31 - 44, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roop et al. (U.S. Patent # 5,619,274) (Television Schedule Information Transmission and Utilization System and Process) in view of Pinder et al. (U.S. Patent # 5,742,677) (Information Terminal Having Reconfigurable Memory) and Aristides et al. (U.S. Patent # 5,630,119) (System and Method for Displaying Program Listings in an Interactive Electronic Program Guide).

2.1 Regarding claims 1 - 28, the previous rejection of claims 1 - 28 under 35 USC 103 applies (paper # 8; 6/28/99).

However, Roop does not explicitly disclose selectively configurable queues.

Pinder clearly discloses selectively configurable queues.

Information Terminal Having Reconfigurable Memory (Title)

Art Unit: 2758

The present invention generally relates to an information terminal having a reconfigurable memory and, more particularly, to a subscription information system including such a subscriber terminal unit with a secure authorization memory that is reconfigurable under control of multiple information service providers via a central location. (under Technical Field heading)

It would have been obvious to one of ordinary skill in the art at the time of the invention to selectively configurable queues in Roop because such a scenario would improve the storage of the compressed data in the set-top box memory of Roop (col. 8, lines 54 - 57).

2.2 As per new claims 31 - 44 and 47, the previous rejection of claims 1 - 28 (paper # 8; 6/28/99) applies and the arguments above apply.

### ***Response to Arguments***

3. Applicant's arguments filed 10/7/99 have been fully considered but they are not persuasive. Applicant states that the combination of Roop, Pinder, and Aristides do not disclose selectively configurable queues.

Examiner disagrees.

Pinder clearly discloses selectively configurable queues.

Information Terminal Having Reconfigurable Memory (Title)

The present invention generally relates to an information terminal having a reconfigurable memory and, more particularly, to a subscription information system including such a subscriber terminal unit with a secure authorization memory that is reconfigurable under control of multiple information service providers via a central location. (under Technical Field heading)

Art Unit: 2758

*Allowable Subject Matter*

4. Claims 29, 30, 45, and 46 are allowed.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Coulter whose telephone number is (703) 305-8447.

KENNETH COULTER  
PATENT EXAMINER  
*Kenneth Coulter*

krc

December 20, 1999